

Message

From: Richard Kinch [rjkinch@cox.net]
Sent: 10/4/2018 9:25:29 PM
To: Johnson, Barnes [Johnson.Barnes@epa.gov]
Subject: CCR Regulation
Attachments: CCR Basics.docx

Barnes,

Attached are some thoughts on the CCR Rule that I shared with the utility industry. I thought you should see them. The paper identifies the most basic regulatory concepts starting with risk-based versus technology-based statutory authority. Looking at the discord and decisions that are currently taking place, it seems that there could be better communications and understanding if people were aware of how the CCR rule drifted into setting technology based requirements contrary to the RCRA Subtitle C statute. It seems to be the point that creates such confusion that meaningful dialogue is extremely difficult.

Hope you find the paper opens up a perspective that allows for better resolution of upcoming issues.

Rich